

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY \_\_\_\_\_ D.C.  
05 SEP -6 AM 8:10  
THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

JERRY WAYNE JERNIGAN, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 ALTEC INDUSTRIES, INC., )  
 )  
 Defendant. )

NO.: 05-1126-T-An

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**RULE 16(b) SCHEDULING ORDER**

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Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

**INITIAL DISCLOSURES (RULE 26(a)(1)):** September 13, 2005

**JOINING PARTIES:**

for Plaintiff: March 15, 2006  
For Defendant: April 16, 2006

**AMENDING PLEADINGS:**

for Plaintiff: March 15, 2006  
for Defendant: April 16, 2006

**COMPLETING ALL DISCOVERY:** September 1, 2006

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and  
REQUESTS FOR ADMISSIONS:** March 31, 2006

- (b) **DISCOVERY DEPOSITIONS OF ALL PARTIES AND FACT WITNESSES:** May 1, 2006
- (c) **EXPERT DISCLOSURE (Rule 26(a)(2)):**
  - (i) Plaintiff's Experts: May 1, 2006
  - (ii) Defendant's Experts: June 30, 2006
  - (iii) Supplementation under Rule 26(e): July 10, 2006
- (d) **DEPOSITIONS:** September 1, 2006

**FILING DISPOSITIVE MOTIONS:** October 15, 2006

**FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

- (a) for Plaintiff: February 2, 2007
- (b) for Defendant: February 17, 2007

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 3-5 days and is **SET** for **JURY TRIAL** on **MONDAY, MARCH 19, 2007 at 9:30 A.M.** A joint pretrial order is due on **FRIDAY, MARCH 8, 2007**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FED. R. CIV. P. allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FED. R. CIV. P. 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

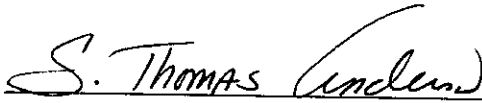
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

***The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.***

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

Date: September 02, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 1:05-CV-01126 was distributed by fax, mail, or direct printing on September 6, 2005 to the parties listed.

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James Brandon McWherter  
SPRAGINS BARNETT COBB & BUTLER  
P.O. Box 2004  
Jackson, TN 38302--200

William G. McCaskill  
TAYLOR PIGUE MARCHETTI & McCASKILL, PLLC  
2908 Poston Ave.  
Nashville, TN 37203

L. Gino Marchetti  
TAYLOR PIGUE MARCHETTI & McCASKILL, PLLC  
2908 Poston Ave.  
Nashville, TN 37203

Lewis L. Cobb  
SPRAGINS BARNETT COBB & BUTLER  
312 East Lafayette St.  
Jackson, TN 38302--200

Ronnie Brooks  
McNairy Cty Criminal Justice Ctr.  
300 Industrial Park Dr.  
Selmer, TN 38375

Honorable James Todd  
US DISTRICT COURT